1902-011 Chancery Causes: Bird Dew to Hale] vs. J. M. Prichard &c
Lee Co.

Reese, Ward

CA-Debt
T-Property

Virginia,

In the Circuit Court of Lee County.

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To the Honorable W. T. Miller, Judge of said Court:-

---------Humbly complaining, your orators, Bird, Dew & Hale, a corporation, would respectfully represent and shew unto your Honor that on the 3rd day of March 1897, they obtained in said Court a judgement against D. G. Reese, for $26.75, and against D. G. Reese, J. M. Pritchard and J. M. Ward for $42.92, with interest on said sums from the said 3rd day of March 1897, until paid, and agaisnt said Reese for $2.19 costs, and against said Reese, Pritchard and Ward for $15.47 costs, on which said judgement against said Reese, Pritchard and Ward a writ of fiera facias was duly issued from the Clerk's Office of the said Court and directed to the Sheriff of the said county returnable to the 2nd May Rules 1897, and which was on the return day thereof returned by the said Sheriff's deputy with the following return endorsed thereon, to-wit: " Not executed no property found, this May 17th 1897, Jas. M. Weston, D. S. for W. P. Weston, S. L. C. " A copy of said judgement is herewith filed marked " A " as part hereof, and a copy of the docketing of the same is herewith filed as part hereof marked " B," and a copy of the fi fa and the return endorsed thereon is herewith filed as part hereof marked " C." . Now your orator further states that the said J. M. Pritchard is seized and possessed of a valuable tract or parcel of land lying and being in said county in Turkey Cove containing 28 acres more or less; he also owns a tract of about 103 acres of land in the Crab Orchard in said county, bounded by the lands of A. L. Reese, Arminta Reese and others, and on this tract there may be a vendor's lien for a balance of purchase money, but on the 28 acre tract there is no lien except that of your orators. Your orators are advised that their said judgement against the said Reese Pritchard and Ward, no part of which has been paid, is a subsisting lien under the statute laws of the state of Virginia, on the said real estate, and your orators alleges that the rents and profits of the said real estate will not satisfy their said judgement in five years, and that they have a right to subject the 28 acre tract to the payment of their said judgement, ~~the same being~~

ment, the same being unincumbered except by their said lien; and the said Reese and Ward have no real estate so far as they know.

In tender consideration whereof for as much as your orators are remediless in the premises save by the aid of a Court of Equity where matters of this kind are alone and properly cognizable your orators pray that the said D. G. Reese, J. M. Pritchard and J. M. Ward be made the parties defendant to this bill and required to answer the same [illegible] on oath that being waived; that the said real estate or so much thereof as may be necessary be sold to satisfy your orators judgement, and that the said 28 acre tract or a sufficiency thereof be sold first, and that your Honor will grant unto your orators such other further and general relief as may be consistent with equity and the case requires. May process issue, directed, etc. And your orators will ever pray, etc.

Orr & Blankenship P. Q.

Plffs Costs

|  |  |  |
|---|---|---|
| C | 5.83 | 08- |
| Tax | 1.50 | 04- |
| Shff | 2.00 |  |
| atty | 5.00 | 08. |
| Co. C. | .25- |  |
| Estimated | 2.00 |  |
|  | $16.58 |  |

O & B

Bird, Dew & Hale, a Corporation

vs. } Bill — In Chy. D.

J. M. Pritchard, et al.

Orr & Blankenship, Sol.

1897. 2nd May rules Sp'a Exd & D N

1st June rules taken the last monday in may D N Conf'd & Cause set for hearing

2860

~~J. W. ORR,~~
~~ATTORNEY AT LAW.~~

~~JONESVILLE, VA.~~,

Bird Deen & Hale Plaintiffs }
against } In chancery
J. M. Prichard et al Defendants }

On motion of the plaintiffs it is ordered that James W Orr be and is hereby appointed a commissioner in this cause cause in room and stead of G. W. Blankenship heretofore appointed, and that he perform and discharge the duties heretofore assigned to said Blankenship and report his action to court. And the cause is continued.

Bird Dean & Hale

vs } Decree

J. M. Prichard et al

Entered on Chy O.B.
No 7 Page 144

Enter this Decree.
H. A. W. Skeen
July 18th 1902.

Bird, Dew & Hale, a corporation, Plaintiffs.

Against ( In Chancery. ( Decree # 1. )

D. G. Reese, J. M. Pritchard and J. M. Ward, Defendants.

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This cause came on this day to be heard upon the bill, process executed, the cause matured at Rules and set for hearing, argument of counsel for plaintiff, and it appearing to the Court that the defendants have neither plead nor answered, the bill is taken for confessed. And ~~the Court on and~~ upon consideration of all which the Court doth order and decree the plaintiffs recover against D. G. Reese the sum of $28.94, with legal interest on $26.75 part thereof from the 3rd day of March 1897, until paid; and that the plaintiffs recover against D. G. Reese, J. M. Pritchard and J. M. Ward the sum of $58.39 with legal interest on $42.92 part thereof from the 3rd day of March 1897, until paid; and that the complainants recover the costs of this suit against D. G. Reese, J. M. Pritchard and J. M. Ward. The Court further adjudges, orders and decrees that unless the defendants pay the said sums of money within thirty days from the rising of this Court that George W. Blankenship, who is hereby appointed a Special Commissioner for the purpose do sell the 28 acres of ~~land or so much~~ land ~~or~~ described in the bill, or so much thereof as may be necassary to satisfy the said sum of $58.39, with the interest thereon and the costs of this suit and commissions of sale, at the front door of the Court House of Lee County, Virginia, on the first day of some Court to be held for said County, on a credit of one and two years time, except as to the costs of suit and commissions of sale he will require to be paid in cash. As to the deferred payments he will ~~requir~~ r equire fom the purchaser bonds ~~from the date of sale~~ with interest ~~fr~~ from the date of sale, waiving the homestead with approved security. But before executing this decree he will execute bond in the penalty of $1 00.00 before the Clerk of this Court conditioned according to law, he will then advertise the time place and terms of sale for at least thirty days by posting written notice thereof at the front door of said Court House of said County and in the vicinity of the land, and report his action to the next of this Court. And the cause is continued

Bird, Dud & Hale

vs J. Dixon

J. W. Richard et al

C.O.B. p. 596-7.

Enter—June 1d/97.

W. J. M.

Virginia

At a circuit court continued and held for Lee County at the Court house thereof on Wednesday March 3rd 1897.

Bird Dew & Hale a corporation Plff.
vs } In Covenant
D G Reese. J. M. Prichard & J M Ward Deft.

This day came again the parties by their attorneys and the Jury adjourned over on yesterday appeared in Court pursuant to their adjournment. and were sent to their room to consult of their verdict, and after some time returned into into court. and upon their oaths do say "We find for the plaintiff vs D. G. Reese $26.75 and vs D G Reese, J M Prichard and J M Ward $42.92 with interest on said sums from this date".

| | |
|---|---|
| Plffs Costs vs Reese & others | |
| Clerk | $8.22 |
| Sheriff | 2.50 |
| atty | 2.50 |
| Tax | 1.00 |
| N.P. | 1.00 |
| Co.C | 25 |
| | $15.47 |
| Costs vs Reese | |
| Clerk | 1.94 |
| Co C | 25 |
| | 2.19 |

It is therefore considered by the Court that the plaintiff recover against the defendant D. G. Reese, said sum of of $26.75 and legal interest thereon from the 3rd day of March 1897. until paid. And that the plaintiff recover against the said defendants D. G. Reese J. M. Prichard and J M Ward $42.92. Forty two dollars and ninety two cents with legal interest thereon from this the 3rd day of March 1897. until paid and the costs in this behalf expended.

A Copy Teste: A B Munsey Clerk

Bird Dew & Hale

vs } Copy of Judgment

D. G. Reese, J M Prichard et al

"A"

Clerk 25 cts

# Judgment Lien Docket.

| Date of Judgment | By what Court Rendered | Time of Docketing | Names and description of Parties | Debt, Damages, Interest and Costs |
|---|---|---|---|---|
| 1897<br>March 3 | Lee Co<br>Circuit<br>Court | 1897,<br>~~May 22~~<br>March 22 | Bird Dew & Hall Pl'ff.<br>vs<br>D. G. Reese. J. M. Prichard<br>& J. M. Ward. Defts } Debt | Judgment for $42.92 with interest from 3d day of March 1897, until paid & costs Tax 1.00 C 8.22 S 2.50 atty 2.50 N P. 1.00 C t 25, |

A copy

Teste: G V F Richmond Clerk.

Amount and Date of Credits

Bridewell & Hale
vs } Copy Judg —
J. M. Prichard et al

Judg Lien Docket
No 3 page 156

B

Cum $.25 cts.

| | |
|---|---|
| Tax | 1.00 |
| Clerk | 8.22 |
| S | 2.50 |
| atty | 2.50 |
| F.P | 1.00 |
| C.C | .25 |
| | 15.47 |

# The Commonwealth of Virginia,

To the Sheriff of the County of Lee, Greeting:

We command you, That of the goods and chattles of D. G. Reese, J M Prichard & J M Ward in your bailiwick, you cause to be made $42.92 Forty two dollars and Ninety two Cents with interest at the rate of six per centum per annum from the 3rd day of March 1897 until paid, which Bird Dew & Hale (A Corporation) late in our Circuit Court of the County of Lee, has recovered against the said D G Reese, J M Prichard & J M Ward, as well for a debt as interest thereon; also $15.47 Fifteen dollars and forty Seven cents, which to the said Bird Dew & Hale in the same court were adjudged for their costs by them about their suit in that behalf expended, whereof the said D G Reese, J M Prichard & J M Ward are convict as appears to us of record. And how you shall execute this writ make know at the rules to be holden in the clerk's office of our said Circuit Court, on the 3rd Monday in May next. And have then there this writ.

Witness, A. B. MUNSEY, Clerk of our said court, at the court-house, the 20th day of March 1897, and in the 121st year of the Commonwealth.

A. B. Munsey Clerk.

A Copy
Teste; A. B. Munsey Clerk

Clerk for Copy 25cts

E. B. No 5 p 102

Bird Dew & Hale

vs. { FI. FA. IN DEBT.

D. G. Reese et al

Orr & B p q

Came to hand March 29th 1897, at 11 oclock A. M

"C"

To 2nd May Rules

Circuit Court.

Judgt March 3rd 1897

O. B. No. 4 p 542

Not executed no property found
this May 17th 1897.
Jas M Weston D.S. for
W P Weston S.L.C.